

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN ISENSEE, Individually and on Behalf of All
Others Similarly Situated,

Plaintiff,

-against-

RESOLUTE ENERGY CORPORATION,
RICHARD F. BETZ, NICHOLAS J. SUTTON,
JAMES E. DUFFY, TOD C. BENTON, JOSEPH
CITARRELLA, WILKIE S. COLYER, THOMAS
O. HICKS, JR., GARY L. HULTQUIST, JANET
W. PASQUE, ROBERT J. RAYMOND, and
WILLIAM K. WHITE,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY
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19 Civ. 551 (AT)

ORDER

On April 2, 2020, the Court granted Plaintiff's motion to extend the time to file his motion for attorney's fees until 14 days after the disposition of *In re: Resolute Energy Corporation Securities Litigation*, No. 19 Civ. 77 (D. De.). ECF No. 16. The Court ordered Plaintiff to file a status letter every 45 days, with the first letter to be filed on May 18, 2020. *Id.*

Plaintiff did not file a status letter on May 18, 2020, nor the three status letters required since that date. Plaintiff is reminded that under Rule 41(b) of the Federal Rules of Civil Procedure, an action may be dismissed "[i]f the plaintiff fails to prosecute or to comply with [the federal rules] or a court order." F.R.C.P. 41(b). "Rule 41(b) gives the district court authority to dismiss a plaintiff's case *sua sponte* for failure to prosecute." *Davis v. Town of Hempstead*, 597 F. App'x 31, 32 (2d Cir. 2015) (internal quotation marks omitted).

SO ORDERED.

Dated: October 16, 2020
New York, New York



ANALISA TORRES
United States District Judge